



General Assembly

## ***Amendment***

***May Special Session, 2016***

**LCO No. 6516**



Offered by:

REP. KLARIDES, 114<sup>th</sup> Dist.  
REP. CANDELORA, 86<sup>th</sup> Dist.  
REP. HOYDICK, 120<sup>th</sup> Dist.  
REP. MINER, 66<sup>th</sup> Dist.

To: Senate Bill No. 505

File No.

Cal. No.

### ***"AN ACT CONCERNING A SECOND CHANCE SOCIETY."***

1 Strike sections 33 and 34 in their entirety and insert the following in  
2 lieu thereof:

3 "Sec. 33. Section 54-76b of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2016*):

5 (a) For the purposes of [sections 54-76b to 54-76n, inclusive] this  
6 section and sections 54-76c to 54-76q, inclusive, as amended by this act:

7 (1) "Youth" means (A) a [minor who has reached the age of sixteen  
8 years but has not reached the age of eighteen years] person who is  
9 sixteen years of age or older but under twenty-one years of age at the  
10 time of the alleged offense, or (B) a [child] person who has been  
11 transferred to the regular criminal docket of the Superior Court  
12 pursuant to section 46b-127, as amended by this act; and

13 (2) "Youthful offender" means a youth who (A) is charged with the  
14 commission of a crime which is not a class A felony or a violation of  
15 section 14-222a, subsection (a) or subdivision (1) of subsection (b) of  
16 section 14-224, section 14-227a or 14-227g, subdivision (2) of subsection  
17 (a) of section 53-21 or section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a  
18 or 53a-72b, except a violation involving consensual sexual intercourse  
19 or sexual contact between [the youth] a person who is sixteen years of  
20 age or older but under eighteen years of age and another person who  
21 is thirteen years of age or older but under sixteen years of age, and (B)  
22 has not previously been convicted of a felony in the regular criminal  
23 docket of the Superior Court or been previously adjudged a serious  
24 juvenile offender or serious juvenile repeat offender, as defined in  
25 section 46b-120, as amended by this act, or a youthful offender.

26 (b) The Interstate Compact for Adult Offender Supervision under  
27 section 54-133 shall apply to youthful offenders.

28 Sec. 34. Subsection (a) of section 54-76c of the general statutes is  
29 repealed and the following is substituted in lieu thereof (*Effective*  
30 *October 1, 2016*):

31 (a) In any case where an information or complaint has been laid  
32 charging a defendant with the commission of a crime, and where it  
33 appears that the defendant is a youth, such defendant shall be  
34 presumed to be eligible to be adjudged a youthful offender and the  
35 court having jurisdiction shall, but only as to the public, order the  
36 court file sealed, unless such defendant (1) is charged with the  
37 commission of a crime which is a class A felony or a violation of  
38 section 14-222a, subsection (a) or subdivision (1) of subsection (b) of  
39 section 14-224, section 14-227a or 14-227g, subdivision (2) of subsection  
40 (a) of section 53-21 or section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a  
41 or 53a-72b, except a violation involving consensual sexual intercourse  
42 or sexual contact between [the youth] a person who is sixteen years of  
43 age or older but under eighteen years of age and another person who  
44 is thirteen years of age or older but under sixteen years of age, or (2)  
45 has been previously convicted of a felony in the regular criminal

46 docket of the Superior Court or been previously adjudged a serious  
47 juvenile offender or serious juvenile repeat offender, as defined in  
48 section 46b-120, as amended by this act, or a youthful offender. Except  
49 as provided in subsection (b) of this section, upon motion of the  
50 prosecuting official, the court may order that an investigation be made  
51 of such defendant under section 54-76d, for the purpose of  
52 determining whether such defendant is ineligible to be adjudged a  
53 youthful offender, provided the court file shall remain sealed, but only  
54 as to the public, during such investigation."